

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

JENNIFER BRIDGES, ET AL.

§

Plaintiffs

§

v.

§

THE METHODIST HOSPITAL
D/B/A HOUSTON METHODIST
HOSPITAL, AND HOUSTON
METHODIST THE WOODLANDS
HOSPITAL

§

§

§

§

§

§

Defendants.

§

CIVIL ACTION NO. 4:21-cv-01774

**DEFENDANTS' OBJECTION AND MOTION TO STRIKE EXHIBITS
ATTACHED TO PLAINTIFFS' OPPOSITION TO
DEFENDANTS' MOTION TO DISMISS**

Defendants The Methodist Hospital d/b/a Houston Methodist Hospital and Houston Methodist The Woodlands Hospital (“Houston Methodist”) object to and move to strike Exhibits 1–6 submitted by Plaintiffs with their Opposition¹ to Houston Methodist’s Motion to Dismiss.

As the Court is well aware, in determining whether to grant a motion to dismiss, a court must not go outside the pleadings.² A court “cannot consider extrinsic evidence in ruling on a Rule 12(b)(6) motion to dismiss.”³ Houston Methodist therefore requests the Court sustain

¹ Dkt. 13.

² See *Khurana v. Innovative Health Care Sys., Inc.*, 130 F.3d 143, 147 (5th Cir. 1997).

³ *Baker v. Putnal*, 75 F.3d 190, 196 (5th Cir. 1996).

its objection and strike Exhibits 1–6 from consideration on Houston Methodist’s Motions to Dismiss.

Respectfully submitted,

By: /s/ Daniel Patton

Daniel Patton
Federal Bar No. 26200
Texas Bar No. 24013302
dpatterson@scottpattonlaw.com

ATTORNEY IN CHARGE FOR DEFENDANTS

OF COUNSEL:

Michael Twomey
Federal Bar No. 608043
Texas Bar No. 24070776
mtwomey@scottpattonlaw.com

Drew Barber
Federal Bar No. 3089408
Texas Bar No. 24101483
dbarber@scottpattonlaw.com

SCOTT PATTON PC
5301 Katy Freeway, Suite 201
Houston, Texas 77007
Phone: (281) 377-3311
Fax: (281) 377-3267

CERTIFICATE OF SERVICE

I certify that on June 11, 2021, a true and correct copy of this pleading was served on all counsel of record by the Court’s ECF filing system.

/s/ Daniel Patton
Daniel Patton